

AMENDED IN SENATE APRIL 21, 2003

SENATE BILL

No. 218

Introduced by Senator Sher

February 13, 2003

An act to amend Section 2761 of the Public Resources Code, relating to surface mining.

LEGISLATIVE COUNSEL'S DIGEST

SB 218, as amended, Sher. Surface mining and reclamation.

~~Existing law, the~~

The Surface Mining and Reclamation Act of 1975, governs surface mining operations and reclamation of mined lands. Under the act, the Office of Planning and Research is required to identify portions of areas within the state that are urbanized or are subject to urban expansion or other irreversible land uses that would preclude mineral extraction.

This bill would delete that provision and make related changes.

This bill would not become operative if certain provisions contained in SB 649 are enacted and become effective on or before January 1, 2004.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 2761 of the Public Resources Code is
- 2 amended to read:
- 3 2761. (a) Upon the request of an operator or other interested
- 4 person and payment by the requesting person of the estimated cost
- 5 of processing the request, the State Geologist shall classify, on the

1 basis solely of geologic factors, and without regard to existing land
2 use and land ownership, an area for which classification has been
3 requested by a petition that has been accepted by the board, as one
4 of the following:

5 (1) An area containing little or no mineral deposits.

6 (2) An area containing significant mineral deposits.

7 (3) An area containing mineral deposits, the significance of
8 which requires further evaluation.

9 (b) The State Geologist shall transmit the information to the
10 board for incorporation into the state policy and for transmittal to
11 lead agencies.

12 *SEC. 2. Section 1 of this act, amending Section 2761 of the*
13 *Public Resources Code, shall not become operative if the*
14 *amendments proposed to Section 2207 of the Public Resources*
15 *Code, and contained in Senate Bill 649 of the 2003–04 Regular*
16 *Session, are enacted and become effective on or before January 1,*
17 *2004.*

